

compensation shall be paid; and providing that the Act shall apply only to counties expending funds derived from the sale of bonds issued for the purpose of building hard surface roads, or in aid thereof; and that such salary shall only apply so long as such roads are in construction, and so long as such bond fund is being expended, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, January 31, 1931.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

S. B. No. 18, a bill to be entitled "An Act amending Section 6 of Chapter 45, Acts of Forty-first Legislature, First Called Session; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

McFARLANE, Chairman.

Committee Room,

Austin, Texas, January 30, 1939.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 24, A bill to be entitled "An Act amending Article 6954 of the Revised Civil Statutes of 1925, as amended, with reference to the mode of preventing horses and certain other animals from running at large, and enumerating the counties in which said article shall apply; omitting from said article the following language: 'provided that where there is an application to include an entire county there shall not be less than twelve free holders from each justice precinct of said county as signers to the petition for such election,' and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

PARR, Chairman.

Committee Room,

Austin, Texas, January 30, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 26, A bill to be entitled "An Act authorizing a certain portion of the salary of county judges and county commissioners to be paid out of the road and bridge fund and the remainder out of the general fund of the county; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WIRTZ, Chairman.

## TENTH DAY.

Senate Chamber,

Austin, Texas,

February 3, 1930.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

|             |             |
|-------------|-------------|
| Beck.       | Neal.       |
| Berkeley.   | Parr.       |
| Cunningham. | Parrish.    |
| DeBerry.    | Patton.     |
| Gainer.     | Pollard.    |
| Greer.      | Russek.     |
| Hardin.     | Small.      |
| Holbrook.   | Stevenson.  |
| Hornsby.    | Thomason.   |
| Hyer.       | Westbrook.  |
| Love.       | Williamson. |
| Martin.     | Wirtz.      |
| McFarlane.  | Witt.       |
| Miller.     | Woodul.     |
| Moore.      | Woodward.   |

Absent.

Cousins.

Prayer by the Rev. Dan Grieder, of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By Senator Parrish:

S. B. No. 30, A bill to be entitled "An Act amending Section 8 of Article 6203 of the Revised Civil Statutes of Texas for 1925, as amended, so as to provide for and regulate applications for parole; also amending Section 6 of said article as amended so as to make a convict eligible for parole even though he may have been previously convicted of a felony or felonies, and permitting that a person sentenced for a term not longer than one year shall not come under this law, and declaring an emergency."

Read first time and referred to Committee on Penitentiaries.

**Communication From State Treasurer.**

The Chair laid before the Senate a communication from State Treasurer Hatcher, relative to the State Auditor's report.

Senator Hyer moved that the reading of the communication be dispensed with, as a copy had been laid on every Senator's desk.

Senator Stevenson moved as a substitute that the communication be referred to the Committee on State Affairs.

The substitute motion prevailed.

**Simple Resolution No. 16.**

Senator Hornsby sent up the following resolution:

Be It Resolved That the accompanying copy of resolution unanimously adopted by the Annual Council of the Diocese of Texas of the Protestant Episcopal Church of January 20, A. D., 1930, be printed in the Senate Journal of this date.

HORNSBY.

The following resolution was unanimously adopted by the Annual Council of the Diocese of Texas of the Protestant Episcopal Church, January 20, 1930:

We believe that, following the example of her Founder and Master, the church is rightly concerned with every phase and aspect of human life. We observe with interest the

efforts being made to reform the penitentiary system of the State of Texas, because we believe that society owes, even to those whom it has to punish, the obligation to provide surroundings which will be wholesome and constructive. We repudiate any insinuation that we are intruding ourselves into a province beyond our legitimate sphere; and we heartily denounce any suggestion that the penitentiary system of our State is a matter of politics. We are not committing ourselves to any specific proposal, nor are we lending our support to any faction or party. But we are bearing witness to certain truths which we regard as of fundamental importance. These are:

1. That any prison, penitentiary, farm, or other institution, ought to be located in a wholesome and sanitary situation, and should be kept in thoroughly hygienic condition so far as is humanly possible;

2. That one purpose of imprisonment is to encourage in the prisoner a determination to live an honorable, useful, and law-abiding career; and that every penal institution should make provision for vocational training and constructive industry for the prisoners;

3. That the younger prisoners, first offenders, and those under sentence for minor offences, should be kept segregated from habitual criminals and from those guilty of serious crimes;

4. That the penal institutions of the State should be organized and administered without subjection to factional or political considerations.

The resolution was read.

Senator Martin moved to refer the resolution to the Committee on State Affairs.

Senator Hornsby moved to table the motion. The motion to table prevailed.

The resolution was adopted.

S. C. R. No. 7.

Senator Miller sent up the following resolution:

Whereas: There exists along the boundary between Texas and Louisiana much confusion and dissatisfaction relative to automobile license fees;

Whereas: Many people who reside along said boundary are forced to

buy license plates from both Texas and Louisiana; and,

Whereas: There is going to be a meeting called in New Orleans, Louisiana, February 4, at 10 a. m. to try to reach some method of reciprocity relative to the payment of license fees and the use of license plates along the boundary between those two states;

Therefore, Be It Resolved by the Senate, House of Representatives concurring: That the Highway Commission be requested by the Legislature to send a representative to this meeting in the hopes that a plan be worked out to minimize the confusion relative to the registration of motor vehicles along boundary between Texas and Louisiana.

MILLER.

The resolution was read.

Senator Holbrook moved to table the resolution. The motion was lost.

Senator Beck moved to lay the resolution on the table subject to call. The motion prevailed.

#### S. C. R. No. 8.

Senator Woodward sent up the following resolution:

Whereas, Governor Holloway of the State of Oklahoma, accompanied by Attorney General King and other members of the Oklahoma Committee in reference to the Texas-Oklahoma boundary dispute, are in the city to confer with the committees of the Senate and the House heretofore appointed by the respective bodies; and,

Whereas, It is necessary that the committees from the Senate and the House heretofore appointed be further authorized to act in connection with the matters and things concerning said boundary dispute.

Therefore, Be It Resolved by the Senate, the House concurring, That the Lieutenant Governor, upon part of the Senate, and Speaker of the House, upon the part of the House, be authorized to re-appoint said committees respectively or others in lieu thereof, that when said respective committees are so appointed they shall have full authority as heretofore conferred by and through the original appointment; that said committees be authorized to entertain our distinguished guests while they are visiting the Legislature of Texas

and conferring with the Texas committees, the expense thereof to be equally paid out of the contingent fund of the Senate and the House.

Be It Further Resolved That Governor Holloway and Attorney General King be invited to address a joint session of the Senate and the House at 3:00 o'clock p. m., this the 3rd day of February, 1930.

WOODWARD.

Read and adopted.

#### Simple Resolution No. 17.

Senator Gainer sent up the following resolution:

Be It Resolved, The Sergeant-at-Arms of the Senate be authorized to purchase an Air-way Sanitary System Cleaner for use in connection with the cleaning of the rugs in the Senate Chamber and committee rooms and that the Committee on Contingent Expense be authorized to approve the voucher in payment thereof, same to cost approximately \$75.00.

GAINER.

Read and adopted.

#### Joint Session.

At 10:30 o'clock a. m., the Senate adjourned to the House to hear an address by the Hon. Carl Williams.

#### After Joint Session.

The Senate returned to the Senate Chamber at 11:35 o'clock.

#### S. C. R. No. 7.

Senator Beck called up from the table S. C. R. No. 7, relative to Texas-Louisiana automobile license fees.

The resolution was adopted.

#### Communication From Board of Control.

The Chair laid before the Senate a communication from the State Board of Control relative to the Dickson Colored Orphanage at Gilmer.

Read and referred jointly to Committee on Civil Jurisprudence and the Committee on Finance.

#### Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,  
Austin, Texas, February 3, 1930.  
Hon. Barry Miller, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that the House  
has passed the following resolution:  
S. C. R. No. 8, providing for a  
joint session of the House and Sen-  
ate at 3:00 p. m., February 3, 1930,  
to hear certain members of the Okla-  
homa committee relative to the  
Texas-Oklahoma boundary dispute.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, February 3, 1930.  
Hon. Barry Miller, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that in compliance  
with S. C. R. No. 8, the following  
members shall represent the House:  
King, Wallace, Storey, Warwick,  
Johnson of Dallam, Land, Mankin,  
Young, Hopkins, Holder.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, February 3, 1930.  
Hon. Barry Miller, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that the House  
has laid on the table subject to call:  
S. C. R. No. 6, inviting State Treas-  
urer Gregory W. Hatcher to come  
before a joint session of the House  
and Senate at 7:30 p. m., February  
3, 1930, for an address to the mem-  
bership of the Legislature.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Committee of the Whole.

At 11:40 o'clock the Senate re-  
solved itself into a Committee of the  
Whole, Senator Berkeley presiding.

#### Committee Reports.

Senator Berkeley reported that  
the Committee of the Whole had  
made progress and desired to con-  
clude its meeting as a Committee  
and report the bills back to the Sen-  
ate as they came from the original  
committees.

#### S. B. No. 1.

The Chair laid before the Senate  
on its second reading the following  
bill:

By Senator Witt:

S. B. No. 1, A bill to be entitled  
"An Act providing for the reorgan-  
ization of the Penitentiary of the  
State of Texas; for the purchase of  
lands therefor; for construction of  
a central prison plant; providing for  
the disposition of the present peni-  
tentiary properties at Huntsville,  
Texas, and of certain of the farms  
now owned by the prison system;  
creating a special commission to se-  
lect a proper site for said new prison  
plant, and to contract for and super-  
vise the construction thereof, and de-  
fining the powers of said Commis-  
sion; providing for the manufactur-  
ing and supplying to the Board of  
Control merchandise and supplies for  
State use by the Prison System; au-  
thorizing and directing the State  
Board of Control and the State High-  
way Commission to purchase from  
the State Prison Board certain ma-  
terials, supplies and labor needed  
for State use; making an appropria-  
tion to be used in carrying out the  
provisions of the Act, and declaring  
an emergency."

Read second time.

Senator Wirtz sent up the follow-  
ing amendment:

Amend S. B. No. 1 by striking out  
all of Section 2 and in lieu thereof  
add the following:

"Sec. 2. The said Commission  
shall select as a site for said prison  
plant either the site on which the  
present plant is located or a site on  
some of the properties now owned  
by the prison system."

WIRTZ.

The amendment was read.

#### Recess.

On motion of Senator Pollard, the  
Senate, at 12:03 o'clock p. m., re-  
cessed until 2:59 o'clock p. m.

#### After Recess.

The Senate met at 2:59 o'clock  
p. m., pursuant to recess, and was  
called to order by Lieutenant Gov-  
ernor Barry Miller.

#### Joint Session.

At 3:00 o'clock p. m., the Chair  
announced that the hour for the

joint session had arrived. The Senate adjourned to the House.

#### After Joint Session.

The Senate returned to the Senate Chamber at 3:55 o'clock.

#### S. B. No. 1.

The question recurred upon the amendment (by Senator Wirtz) to S. B. No. 1.

#### Adjournment.

Senator Patton moved to adjourn until tomorrow morning at 10:00 o'clock.

Senator Woodul moved, as a substitute, to adjourn until 9:00 o'clock.

The motion to adjourn until 10:00 o'clock prevailed and at 5:15 o'clock p. m., the Senate adjourned.

#### APPENDIX.

##### Petitions and Memorials.

(Telegram.)

Honorable Barry Miller, President Senate, Austin, Texas.

I favor sentiment expressed in House Concurrent Resolution No. 5 and will endeavor to expedite its passage.

WRIGHT PATMAN, M. C.

(Telegram.)

Hon. Barry Miller, Lieutenant Governor, Austin, Texas.

We, the citizens of Lovelady earnestly request that you call attention of the Legislature to the many false and malicious statements regarding the general health conditions of East Texas made recently by some of the outstanding proponents of the proposed prison relocation bill. We respectfully request that the Legislature express its disapproval of such tactics being used to further political or personal ambition of any man or set of men. Such statements regarding the general health conditions of this section of Texas as have been made before the Legislature are wholly untrue and without a semblance of the facts.

K. D. LAWRENCE,  
LEE F. PERRY,  
H. C. RICH,  
V. H. PORTER,  
J. R. MAINER.

#### ELEVENTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, February 4, 1930.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

|             |             |
|-------------|-------------|
| Beck.       | Neal.       |
| Berkeley.   | Parr.       |
| Cousins.    | Parrish.    |
| Cunningham. | Patton.     |
| DeBerry.    | Pollard.    |
| Gainer.     | Russek.     |
| Greer.      | Small.      |
| Holbrook.   | Stevenson.  |
| Hornsby.    | Thomason.   |
| Hyer.       | Westbrook.  |
| Love.       | Williamson. |
| Martin.     | Wirtz.      |
| McFarlane.  | Witt.       |
| Miller.     | Woodul.     |
| Moore.      | Woodward.   |

Absent—Excused.

Hardin.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hyer.

##### Petitions and Memorials.

(See Appendix.)

##### Committee Reports.

(See Appendix.)

##### Bills and Resolutions.

By Senator Pollard:

S. B. No. 31, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: The Agricultural and Mechanical College of Texas; the Texas Agricultural Experiment Stations System, the Extension Service of the Agricultural and Mechanical College of Texas; the Texas Department of Forestry; the North Texas Junior Agricultural College; John Tarleton Agricultural College; Prairie View State Normal and Industrial College; the University of Texas, in-